



ATTORNEY DOCKET NO.: 024607-0022

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Michael SUTHERLAND et al.

U.S. Application No.: 09/161,753

Filed: September 29, 1998

For: REMOVABLE MEDIA RECORDING
STATION FOR THE MEDICAL
INDUSTRY

Group Art Unit: 3737

Examiner: E. Mercader

Commissioner for Patents
Washington, D.C. 20231

Sir:

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REQUEST FOR ENTRY OF AMENDMENT

An Amendment in response to the Office Action dated December 4, 2001, (Paper No. 9) was filed in this application on February 28, 2002. On inquiry to Examiner Marvin Lateef, it was determined that as of May 21, 2002, the Amendment had not been entered for the application. Per instructions from Examiner Lateef, Applicants enclose copies of the Amendment as filed and the date stamped post card received at the time of filing. Applicants respectfully request that the Amendment be entered in the application as of **February 28, 2002** and the associated time period reset accordingly.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: May 24, 2002

By: Martha J. Hopkins
Martha J. Hopkins
Reg. No. 46,277

CUSTOMER NO.: 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Ave.
Washington, D.C. 20004
202-739-5198



PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:

U.S. Patent Application of: Michael SUTHERLAND et al.

Application No.: 09/161,753

Group Art Unit: 3737

Filed: September 29, 1998

Examiner: M. Mercader

FOR: REMOVABLE MEDIA RECORDING STATION FOR
THE MEDICAL INDUSTRY

1. Amendment Transmittal Form
2. Amendment in response to the Office Action dated
December 4, 2001
3. Permission to charge Deposit Account No. 50-0310 in the amount of
\$402.00, for additional claims fee

Dated: February 28, 2002

Attorney Docket No.: 024607-0022

MJH/jaf



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By SPW Date 3-1-02



PATENT
ATTORNEY DOCKET NO.: 024607-0022

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In re Application of:)
Michael SUTHERLAND et al.)
U.S. Application No.: 09/161,753) Group Art Unit: 3737
Filed: September 29, 1998) Examiner: E. Mercader
For: REMOVABLE MEDIA RECORDING)
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INDUSTRY)

Commissioner for Patents
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AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment responding to the Office Action dated December 4, 2001.
2. Additional papers enclosed:
 - ☐ Drawings: ☐ Formal ☐ Informal (Correction)
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, _____ references included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 400.00	\$200.00
<input type="checkbox"/> three months	\$ 920.00	\$460.00
<input type="checkbox"/> four months	\$1,440.00	\$720.00

Extension of time fee due with this request: \$ _____

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for ___ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	33	Minus	20	13	x \$18 each=	+ \$ 234.00
Independent Claims (37 C.F.R. §1.16(b))	5	Minus	3	2	x \$18 each=	+ \$ 168.00
<input type="checkbox"/> First presentation of Multiple dependent claim(s)					\$280.00	+ \$
SUB-TOTAL =						\$ 402.00
Reduction by ½ for filing by a small entity						- \$ 0.00
TOTAL FEE =						\$ 402.00

6. Fee Payment

☐ No fee is to be paid at this time.

☒ Please charge Deposit Account No. 50-0310 in the amount of \$402.00, for additional claims fee.

☐ Check in the amount of \$_____ for _____.
The Commissioner is hereby authorized to charge any additional extension of time fee or additional fee for claims due to Deposit Account No. 50-0310.

Attorney Docket No.: 024607-0022

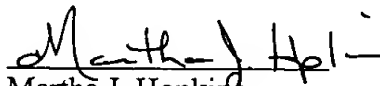
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[X] The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

By: 
Martha J. Hopkins
Reg. No. 46,277

Dated: February 28, 2002

CUSTOMER NO. 009629

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